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153501-0091/P01986US (9807 cap-98003)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 CFR 1.53(b)

EXPRESS MAIL LABEL No.: EL 135 105 582 USDate of Deposit: October 2, 2000

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This is a request for filing a ☒ Continuation ☐ Division application
 under 37CFR 1.53(b) (Rule 53(b)) of prior pending application:

Inventor(s) : **Edelman, Edward C.**
 Serial No. : **09/181,389**
 Filed : **10/27/98**
 Art Unit : **2834**
 Examiner : **Enad, E.**
 For : **COMMAND AND CONTROL SYSTEM AND METHOD FOR MULTIPLE TURBOGENERATORS**

Handwritten:
 #4
 E. Enad
 3-22-01

JC926 U.S. PTO
 09/689577
 10/12/00

Box Patent Application
 Hon. Commissioner of Patents and Trademarks
 Washington, D. C. 20231

Sir:

1. COPY OF PRIOR APPLICATION

Attached is a true copy of the prior application as originally filed on 10/27/98, including:

- ☒ Specification and claims (21 pgs.)
- ☒ Abstract
- ☒ 4 sheets of drawings.
- ☒ Signed declaration or oath.
- ☒ Verified Statement Claiming Small Entity Status.

2. STATEMENT OF INVENTORSHIP

This Rule 53(b) application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are:

- ☒ the same
- ☐ less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are not inventor(s) of the invention being claimed in this Rule 60 application:

1. _____ 2. _____

3. RELATE BACK - 35 U.S.C. 120

- ☒ Amend the specification by inserting before the first line the sentence:

-- This is a ☒ Continuation ☐ Division of co-pending application

- ☒ Serial No. 09/181,389 filed 10/27/98.
- ☐ International Application No. _____ filed on _____ and which designated the U.S. --- 6109334
- ☒ The Examiner is requested to review the references cited in the above-noted prior application and to make those references of record in the instant application.

4. ASSIGNMENT

☒ The prior application is assigned of record to: Capstone Turbine Corporation

☐ Attached is an assignment to: _____.

5. SMALL ENTITY STATUS

☒ Verified Statement(s) establishing "small entity" status under Rules 9 and 27:

- ☒ has been filed in parent application and such status is still proper and desired (37CFR 1.28(a)).
☐ is filed herewith.

6. POWER OF ATTORNEY

☒ The power of attorney in the prior application is to Albert J. Miller.

☒ Address all future communications to Rachele Wittwer, IRELL & MANELLA LLP, 1800 Avenue of the Stars, Suite 900, Los Angeles, CA 90067 (Telephone: 310-277-1010; Facsimile: 310-203-7199).

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7. FEE CALCULATION

THE FOLLOWING FILING FEE IS BASED ON CLAIMS
REMAINING AFTER ENTRY OF PRELIMINARY AMENDMENT
PER MPEP § 506 AND § 607

	Basic Filing Fee	\$710.00
Total Effective Claims	<u>24</u> - 20 = <u>0</u> x \$18.00	72.00
Independent Claims	<u>2</u> - 3 = <u>0</u> x \$80.00	0.00
If any <u>proper</u> multiple dependent claim (ignore improper) is present, add \$270.00		0.00
	Subtotal	782.00
If Small Entity claim is present, enter one-half (½) of subtotal and <u>subtract.</u>		- 391.00
	Total Filing Fee Due	\$391.00

Respectfully Submitted,



Norman E. Brunell
Registration No. 26,533

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